THE HONOURABLE SRI JUSTICE V.ESWARAIAH

Date:10-11-2005.

WRIT PETITION No.22478 OF 2005

BETWEEN:

Khaja Ghafooruddin and others.

…Petitioners

And

The Assistant Commissioner of Police, Goshamahal Division, Goshamahal, Hyderabad and others.

…Respondents

ORDER:

The petitioners seek to issue a writ of Mandamus, declaring the action of the police in harassing and threatening the petitioners to produce first petitioner's son Khaja Nayeemuddin as illegal and arbitrary and consequently, direct the respondents not to interfere with the personal life and liberty of the petitioners.

The petitioners submit that the first petitioner is having four sons and one Khaja Nayeemuddin is his third son and since his child hood, he was moving with antisocial elements and become a man of bad reputation. He involved in several theft cases and police visiting the house of the first petitioner regularly and making their lives miserable. To get rid of his son, the first petitioner has executed a deed dis-owning him on 4-1-1996 declaring that he has no relationship with his third son legally or religiously. Inspite of the same, the police are harassing the petitioners for production of the third son of the first petitioner.

A counter has been filed by the first respondent stating that the police never called the petitioners to the Police Station and in fact, neither the petitioners nor the third son of the first petitioner is required in any case. The other allegation that the police officials went to the shop of the elder son of the first petitioner at Afzalgunj and took away the jeep bearing No.ABM 2588 along with the second son of the first petitioner is also denied.

In view of the aforesaid counter filed by the first respondent on 25-10-2005, I am of the opinion that there is no further action needs to be taken in the Writ Petition.

The Writ Petition is accordingly dismissed. No costs.

V.ESWARAIAH, J

Date: 10-11-2005.

Shr.